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18 ECOLOGICAL RIGHTS FOUNDATION

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21 ECOLOGICAL RIGHTS FOUNDATION, a  
22 non-profit corporation,

23 Plaintiff,  
24 v.  
25 UNITED STATES ENVIRONMENTAL  
26 PROTECTION AGENCY,

27 Defendant.

28 Case No: 4:18-cv-00394-DMR

STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEADLINE  
FOR FILING MOTION FOR  
ATTORNEYS' FEES AND COSTS

WHEREAS, on July 26, 2021, in the Court’s Final Judgment (Dkt. 119) (“Final Judgment”), the Court set a deadline of October 13, 2021 for the filing of any motion for attorneys’ fees and costs in this litigation, unless such deadline was modified by the Court at the next case management conference, which was then set for September 29, 2021;

WHEREAS, on September 22, 2021, the Court granted the parties' joint stipulation to continue the September 29, 2021 case management conference until November 3, 2021 to allow the parties additional time to attempt to settle the fees issue (*see* Dkt. 121);

WHEREAS, the parties have now reached an agreement in principle for the settlement of the amount of attorneys' fees and costs in this case;

WHEREAS, in the prior stipulation, the parties failed to request an extension of the forthcoming October 13, 2021 deadline for filing the motion for attorneys' fees and costs, but agree that the deadline should be extended to allow time for the formal approval process to be concluded, and to avoid the necessity of any fee motion;

NOW THEREFORE, pursuant to Civil Local Rule 7-12, the parties, by and through their undersigned counsel, hereby jointly stipulate as follows:

1. The October 13, 2021 deadline set in the Final Judgment should be extended for a period of sixty (60) days, until December 13, 2021.

DATED: October 13, 2021

Respectfully submitted,

STEPHANIE M. HINDS  
Acting United States Attorney

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## ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that all signatories have concurred in the filing of this document.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the October 13, 2021 deadline set in the Final Judgment (Dkt. 119) is hereby extended for a period of sixty (60) days, until December 13, 2021.

IT IS SO ORDERED.

DATED: October 18, 2021

*Donna*  
The Honorable Donna M. Ryu  
U.S. Magistrate Judge